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14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 vs.
19 MICHAEL TROY SLOTERDIJK,
20 Defendant.

21 Case No.: 2:15-mj-372-GWF

22 **STIPULATION TO CONTINUE**
PRELIMINARY HEARING
(First Request)

23 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
24 States Attorney, and Kathryn C. Newman, Assistant United States Attorney, counsel for the United
25 States of America, Rene L. Valladares, Federal Public Defender, and MONIQUE KIRTLEY,
26 Assistant Federal Public Defender, counsel for MICHAEL TROY SLOTERDIJK, that the
27 Preliminary Hearing currently scheduled on Thursday, May 14, 2015 at 4:00 p.m., be vacated and
28 be continued to a date and time convenient to the Court, but no longer than thirty (30) days.

29 This Stipulation is entered into for the following reasons:

30 1. The parties are actively negotiating a potential resolution to this case, which may
31 obviate the need to proceed to trial.

32 2. The defendant is at liberty, resides and is employed outside the state of Nevada.

33 3. The parties are in agreement to the continuance.

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1 4. Additionally, denial of this request for continuance could result in a miscarriage of
2 justice. The additional time requested by this Stipulation is excludable in computing the time within
3 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
4 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§
5 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6 This is the first request for a continuance of the preliminary hearing.

7 DATED May 11, 2015

8 RENE L. VALLADARES
9 Federal Public Defender

10 DANIEL G. BOGDEN,
11 United States Attorney

12 By: /s/ Monique Kirtley
13 MONIQUE KIRTLEY
14 Assistant Federal Public Defender

15 By: /s/ Kathryn C. Newman
16 KATHRYN C. NEWMAN
17 Assistant United States Attorney

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.:2:15-mj-372-GWF

Plaintiff,

ORDER

VS.

MICHAEL TROY SLOTERDIJK,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are actively negotiating a potential resolution to this case, which may obviate the need to proceed to trial.
2. The defendant is at liberty, resides and is employed outside the state of Nevada.
3. The parties are in agreement to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

This is the first request for a continuance of the preliminary hearing...

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United
2 States Code, Section 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, §§ 3161 (h)(7)(A),
3 when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and
4 3161(h)(7)(B)(iv).

ORDER

6 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled on
7 Thursday, May 14, 2015 at 4:00 p.m., be vacated and continued to
8 Monday, June 15, 2015 at 4:00 p.m.

10 DATED this 12th day of May, 2015.

George Foley Jr.
UNITED STATES MAGISTRATE JUDGE